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BY ECF

Honorable Cheryl L. Pollak  
United States Magistrate Judge  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: United States v. Bebars Baslan  
Docket No. 13 CR 220 (RJD)

Dear Judge Pollak;

Thank you for contacting the parties for input on voir dire during the jury selection this Monday, July 14<sup>th</sup>.

My greatest concern is that the nature of the charges against my client Bebars Baslan, will make it difficult for the average juror to main fairness and impartiality.

For that reason, I respectfully suggest the following voir dire questions:

- 1) Does the nature of the charges against the defendant – involving allegations of a plan to commit child sex abuse – make it difficult for you to be a fair and impartial juror in the case? [follow up at the side bar]
- 2) Do you believe that you can keep an open mind -- and listen to all the evidence at trial and the judge's instructions on the law -- before deciding whether t he prosecution has proven its case against the defendant? Or would that be difficult for you to do in this case?
- 3) Have any of you, your relatives or close friends had any experiences with sexual abuse?
- 4) If the answer is yes, please come up to the side bar for follow up questioning.
- 5) You may see images and videos of child sex abuse by adults during the government's case. They are graphic and likely to be disturbing. The government will offer evidence that those images and videos were retrieved from the defendant's computer.
  - a) Do you believe you will be able to view those images and videos without deciding this case solely on the basis of such graphic and disturbing materials?

- b) Do you have a concern that these materials will make it difficult for you to be a fair and impartial juror in this case?

At the time this letter is being written, I have not had any definitive responses from potential defense witness, despite my inquiries this afternoon and evening. If that situation changes, I will notify Your Honor and the government with a supplemental list of names to include in the voir dire.

I thank Your Honor for Your courtesy and consideration.

Respectfully submitted,

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Ephraim Savitt, Esq.

Cc: BY ECF  
Clerk of the Court (RJD)  
All Counsel